

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION

UNITED STATES OF AMERICA	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. 5:24-CV-
	§	00085
100.000 ACRES OF LAND, MORE OR	§	
LESS, SITUATED IN WEBB COUNTY,	§	
STATE OF TEXAS; AND HARRY DAVID	§	
SCHWARZ, III, ET AL.,	§	
Defendants.	§	

**DEFENDANTS' ANSWER, DEMAND FOR ADEQUATE COMPENSATION, AND
DEMAND FOR JURY TRIAL**

Defendants Harry David Schwarz, III; Roger Joseph Schwarz; Stratton Rottersmann; Randolph H. Lewis; Terrance Lewis Trust c/o Randolph H. Lewis, Trustee; Meredith E. MacKenzie a/k/a Meredith Emily Rottersmann; Charles D. Rottersmann Trust, c/o Meredith E. MacKenzie, Trustee; Hirsch Investments, c/o Sherry R. Lewis, and Natalie Schwarz ("Defendants") hereby file this Answer, Demand for Adequate Compensation, and Demand for Jury Trial.

ANSWER

1. Defendants lack sufficient information to admit or deny the allegations in paragraph 1 of the Complaint and call for strict proof thereof.
2. Defendants admit that the Court has jurisdiction over this action under 28 U.S.C. §1358.
3. Defendants admit that their property is being taken under and in accordance with the authority set forth in Schedule "A" of the Complaint.
4. Defendants admit that Schedule "B" of the Complaint sets forth the public purpose

for which Defendants' property is being taken.

5. Defendants admit the Schedules "C" and "D" of the Complaint describe the land being taken. Defendants deny that Schedules "C" and "D" accurately reflect Defendants' property interests in that land.

6. Defendants deny that Schedule "E" of the Complaint accurately describes the property interests being taken.

7. Defendants deny that Schedule "F" of the Complaint accurately estimates just compensation for the property interest being acquired, and call for strict proof thereof.

8. Defendants lack sufficient information to admit or deny the allegations in paragraph 8 of the Complaint, and call for strict proof thereof.

9. Defendants lack sufficient information to admit or deny the allegations in paragraph 9 of the Complaint, and call for strict proof thereof.

DEMAND FOR ADEQUATE COMPENSATION

10. Defendants deny that the compensation set forth in Schedule "F" of the Complaint is adequate. Defendants demand adequate compensation.

DEMAND FOR JURY TRIAL

11. Pursuant to Federal Rule of Civil Procedure 71.1(h)(1)(B), Defendants demand a jury trial.

WHEREFORE, Defendants request that compensation be determined by jurors; that Defendants be awarded adequate and just compensation for the value of their property taken and all damages to their remaining property, as allowed under the applicable law; and that Defendants be awarded all other and further relief, in law or equity, to which they may be entitled.

Respectfully submitted,

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Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on June 13, 2024, a true and correct copy of the foregoing was sent to the following:

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